

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

Appreciation is expressed to Examiner Kennedy and Examiner Stodola for their time and attention during the interview conducted at the U.S. Patent and Trademark Office on February 11, 2008. The remarks below discuss the substance of the interview.

By way of this Amendment, Claim 17 is amended to address the inadvertent errors kindly pointed out by the Examiner in the bottom half of page two and the top of page three of the Official Action. Accordingly, withdrawal of the claim rejection based on the second paragraph of 35 U.S.C. §112 is respectfully requested.

During the interview, the undersigned discussed the claimed subject matter at issue, noting that independent Claim 1 defines a device fastening an emitter to a housing, while independent Claim 18 recites an emitter fastened to a housing by a fastening device. Thus, as explained, both independent claims positively recite the emitter as a claimed element. Thus, a proper rejection of the claims at issue must address this positively claimed feature.

The undersigned also explained that U.S. Patent No. 5,975,592 to *Lin* discloses a lock assembly used in connection with a sliding door. As pointed out during the interview, *Lin* does not disclose an emitter, let alone a fastening device that fastens an emitter to a housing as recited in the independent claims here. To make more clear this point, independent Claims 1 and 18 are amended to recite that the emitter which is fastened to the housing by the fastening device is an emitter which emits electrons.

During the interview, the Examiner responded to this language by stating that the window mentioned in *Lin* might be considered an emitter. Little explanation or support was set forth about how the window constitutes an emitter that emits electrons, other than the observation that the window is transparent. The undersigned pointed out, once again, that the independent claims at issue here positively recite the emitter and recite that the emitter emits electrons. In addition, the claims here do not recite that the emitter permits the passage of electrons, but rather recite that the emitter emits electrons. To make this point further clear, the independent claims presented here are amended to recite that the emitter which is fastened to the housing by the fastening device is an emitter which produces and emits electrons. The lock assembly disclosed in *Lin* does not include an emitter which produces and emits electrons. It is thus respectfully submitted that the rejection based on the disclosure in *Lin* is not appropriate and should be withdrawn.

In the event the Examiner continues to believe *Lin* discloses an emitter, the Examiner is kindly asked to explain in detail the feature(s) in *Lin* which corresponds to the claimed emitter, and how such feature(s) produce and emit electrons so that applicant's will better understand the basis for the rejection from the standpoint of further proceedings involving this application.

At the conclusion of the interview, Examiner Kennedy commented that amending the independent claims at this time would present new issues requiring further consideration and/or search. Examiner Kennedy thus indicated that an Amendment presenting amended versions of the independent claims would not be entered. The undersigned thus indicated that the amended claims would be submitted in an Amendment together with a Request for Continued Examination.

Examiner Kennedy stated that under the circumstances, if a further Official Action is necessary or warranted, such Official Action would not be made final.

This Amendment also presents a variety of new dependent claims which further define the subject matter at issue here and further distinguish over the disclosure in *Lin*. Consideration of those dependent claims is respectfully requested.

Should any questions arise concerning this application, or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: February 27, 2008

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